

**Statement of Carla Aresco, MSL, CRNP
Testimony in OPPOSITION to Senate Bill 745
Protective Headgear Requirement for Motorcycle Riders- Exception
Senate Judicial Proceedings
March 15, 2022**

Every year we are asked to oppose the repeal of the motorcycle helmet law. And every year we submit statistics about those patients that wear helmets and those that don't and what their outcomes are.

Those that are in favor of the repeal state that they have rights to choose whether they wear a helmet or not and that often times they are only hurting themselves, saving tax payers money if they do "die", etc. The Supreme Court has ruled on this issue in *Simon vs. Sargent* 396 F. Supp. 277.279 409 US 1020 (1972) stating that *the individual was hurting citizens around him and that the helmet legislation was not a violation of the motorcyclists' constitutional rights*. The mandatory motorcycle helmet law is not a freedom of choice but a matter of public policy.

My name is Carla Aresco. I am the lead Nurse Practitioner for trauma neurosurgery at the R Adams Cowley Shock Trauma Center. In my almost 30 years of trauma nursing I have seen the devastation caused by motorcyclists who do not wear their helmets. Not only to themselves but to their families, the health care team and society. Therefore, it is my testimony that the motorcycle helmet law should remain intact.

Traumatic brain injury is a leading cause of death in motorcycle crashes. These patients are often admitted to the Shock Trauma Center and require emergent surgery to remove a piece of skull (decompressive craniotomy) to allow the brain room to swell and hopefully heal. The ironic piece of this is often these are the patients that chose not to wear a helmet on their motorcycle and now, because their brain is not protected with a piece of their skull removed, they have to wear a helmet to simply get out of bed.

In FY 21 the R Adams Cowley Shock Trauma Center cared for 6,983 critically ill and injured patients. Of those 302 were due to a motorcycle crash and 11 died. The length of stay for each patient varies.

- In 2020 there were 5,458 motorcyclists killed nationally, the highest number of motorcycle fatalities ever recorded (1)
<https://quotewizard.com/news/posts/dangerous-states-for-motorcycles>
- In States without universal helmet laws, 57 percent of motorcyclists killed in 2019 were not wearing helmets, as compared to 9 percent in States with universal helmet laws (2)

SB 745 proposes that individuals greater than 21 years of age who have been licensed to operate a motorcycle for at least 2 years and has completed an approved motorcycle safety

course does not have to wear a helmet. This suggests that a 23-year-old who has taken an approved motorcycle safety course has enough experience to operate a motorcycle without incurring a crash and sustaining injury.

- The 55-and-older age group accounted for 22 percent of motorcyclists killed in 2010, and increased to 28 percent in 2019, a 40 percent increase (3)

The fact of the matter is, wearing helmets saves lives. Recent studies show that wearing a DOT-approved helmet reduces the risk of head injury by 69% and the risk of death by 42%. (4) Motorcycle helmets also prevent \$1.7 billion in societal harm annually. (5)

I strongly urge you to consider these facts and oppose this legislation to prevent unnecessary injury and pain to all of your constituents.

Thank you.

Respectfully submitted,

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1. Most Dangerous States for Motorcycle Riders. VinZant, N. July 2021;
<https://quotewizard.com/news/posts/dangerous-states-for-motorcycles>
2. Traffic Safety Facts, Research Note: Overview of Motorcycle Crashes in 2019, NHTSA, September 2021 (revised), DOT HS 813 112
3. Traffic Safety Facts, Research Note: Overview of Motorcycle Crashes in 2019, NHTSA, September 2021 (revised), DOT HS 813 112
4. Most Dangerous States for Motorcycle Riders. VinZant, N. July 2021;
<https://quotewizard.com/news/posts/dangerous-states-for-motorcycles>
5. The Economic and Societal Impact of Motor Vehicle Crashes, 2010 (Revised), NHTSA, May 2015 (revised), DOT HS 812 013